



CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL

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Inspection Report

<b>Provider Name:</b> L & M Childcare	<b>Provider Information</b>	<b>CLR No:</b> L383097
<b>Provider Address:</b> 37 Elliott Howard Subdivision, Burning Fork Road, Salyersville, KY, 41465	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 27
<b>Owner(s):</b> L & M Childcare, LLC		<b>Director(s):</b> Lemaster, Emma Kay

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 219996
<b>Date Initiated:</b> 04/28/2017 4:15 PM	<b>Date Concluded:</b> 05/04/2017 9:15 AM	
	<b>No. of Children Present:</b> 9	

Inspection Report

Supervision

Not In Compliance

5 - Children Supervised

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (3)(a) Each center shall maintain a child-care program that assures each child will be:
1. Provided with adequate supervision at all times by a qualified staff person who:
    - a. Ensures the child is within scope of vision and range of voice; or
    - b. For a school-age child, within scope of vision or range of voice;

Findings:

General: Based on interview, the surveyor found that adequate supervision was not provided by center staff as four (4) school age boys were able to pull their pants down and touch one another's private area/genitals during nap time. During interviews, it was reported that staff had left the classroom for a "few minutes" when this incident occurred. Staff reportedly returned to the classroom but only became aware that the incident had happened when they were informed by another child.

General Administration

Not In Compliance

125 - Confidential Information

Not In Compliance

922 KAR 2:110. Section 2. General.

- (3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.

Findings:

General: Based on interview, information concerning the children and the children's parents was not kept in strict confidence by child-care center staff as follows:

1. A parent reported that two (2) weeks ago, center staff informed her that a child (using the child's name) had been using curse words and sexually explicit language while at the center.
2. A parent reported that after she had been informed by two (2) children at the center that her child had "sucked" another child's "bird", the Director and herself discussed the incident with three (3) of the children involved including two (2) children that are not her children.

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**265 - Health, Safety, Comfort**

**Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

- (1) Effective with the adoption of this administrative regulation, a director shall:**
- (l) Provide for the health, safety, and comfort of each child;**

**Findings:**

General: Based on interview, the surveyor found that director failed to provide for the health, safety, and comfort of the children as follows:

1. Staff reported witnessing a three-year-old female child attempt to insert a banana inside her private area in the summer of 2016.
2. Staff stated they witnessed an eight-year-old child (sibling to the three-year old child) discussing which hand he uses to "jack off" approximately one (1) month ago.
3. It was reported that approximately four (4) months ago, during naptime, four (4) of the school age males (including the eight-year-old child) were caught putting their mouths on each other's penises.
4. It was reported that approximately six (6) months ago some children were asked by another child (same eight-year old child) to "suck my peter."

Review of the center's Reporting Evidence of Child Abuse policy revealed that staff are informed of their obligation to report, "evidence of abuse/neglect concerning a parent or staff personnel" within twenty-four (24) hours. Staff reported that they thought the children had seen more than they should but did not suspect abuse/neglect.

It was confirmed through interview with staff that none of these incidents had been reported to the cabinet.

**Children's Records**

**Not In Compliance**

**1070 - Immunization**

**Not In Compliance**

**922 KAR 2:110. Section 3. Records.**

- (1) A child-care center shall maintain:**
- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

**Findings:**

General: Based on review of documentation and interview, the following was found:

1. A child's file (DOE: 5/19/15) presented for review did not contain an immunization certificate.
2. A child's file (DOE: 5/19/15) presented for review did not contain an immunization certificate.

The Director stated she had requested the immunization certificates from the parent.

**Written Documentation**

**In Compliance**

Signature of  
Provider/Representative

Title

Date